

LAW.

SUPREME COURT.—THURSDAY, MAY 24.

SITTING FOR TRIAL OF CAUSES.

BEFORE MR. JUSTICE CLEARY and a jury of four.

HOLDWELL V. POCKLEY.

The trial of this action was resumed, and lasted all day without terminating. JURY COURT.

Before Mr. Justice FAUCETT and a jury of four.

HENNING V. SMEDLEY AND OTHERS.

This was an action of trespass. The declaration by its first court recited that the plaintiff was possessed of certain land in the Illawarra district, upon the Wollongong and Bulli Road, and that he intended to have these therefor supported by the adjacent land, but that the defendants had removed and disturbed the land against such fences, whereby it stands and gave way, and the fences fell down and were weakened and destroyed.

The trial was continued for breaking and entering the plaintiff's land, and removing the fence, and pulling down and destroying fencing. The damages were laid at £500. The defendants pleaded firstly, that they were not guilty; secondly, that plaintiff was not entitled to the fence; and thirdly, that plaintiff did not claim the benefit of the Acts of Parliament. A witness, Mr. Swanson, £60; Mr. Cruden, £30 for the time, and servants and other expenses absorbed the cost. At time I paid these amounts I owed C. White £123, £200, £150, Crouch and Gilmore the amount and up to £100. I owe C. White £100. I owe him £100 on the show ground, and tell him I have to pay him after the show was over. I found I could not do so. If I had paid him I should have had to leave others unpaid. I might have taken £200 or £270 at the show. I paid to Mr. Swanson £60; Mr. Cruden £30 for the time, and referred to as encroached on the public footway at any time upon receiving notice to do so.

COAL IN NEW ZEALAND.

TEN colonists in the province of Canterbury, New Zealand (on the south-eastern coast of the Middle Island), are evidently directing an increased amount of attention to mining research after coal, and seem bent upon a yet greater development of their resources. The following is a summary of their intentions, and the plaintiff's land, for breaking and entering the plaintiff's land, and removing the fence, and pulling down and destroying fencing. The damages were laid at £500. The defendants pleaded firstly, that they were not guilty; secondly, that plaintiff was not entitled to the fence; and thirdly, that plaintiff did not claim the benefit of the Acts of Parliament. A witness, Mr. Swanson, £60; Mr. Cruden, £30 for the time, and servants and other expenses absorbed the cost. At time I paid these amounts I owed C. White £123, £200, £150, Crouch and Gilmore the amount and up to £100. I owe C. White £100. I owe him £100 on the show ground, and tell him I have to pay him after the show was over. I found I could not do so. If I had paid him I should have had to leave others unpaid. I might have taken £200 or £270 at the show. I paid to Mr. Swanson £60; Mr. Cruden £30 for the time, and referred to as encroached on the public footway at any time upon receiving notice to do so.

NEWCASTLE.

[FROM OUR OWN CORRESPONDENT.]

MAY 20.—The committee appointed to complete the arrangements to celebrate the abolition of the tonnage and pilotage dues have decided upon holding a public banquet for that purpose, and the chairman of the city and county, together with the Messrs. H. Parkes and J. Robertson, are to be specially invited.

Very little progress is being made towards the erection of the new building for the School of Art in this city. The plans to be had are not yet completed, and will require the services of another Dickens or a Mark Twain to get them out. In the meantime the money granted by the Insurance Company lies idle, the old sub-servants are glad to inconvenience and grumble accordingly, and the new ones are only too ready to join in till the clouds of doubt and uncertainty with regard to the future shall have rolled away.

A slight accident occurred yesterday afternoon to Mr. Charles Robinson, the manager of the large smelting works at Stanmore. The foot of one of the large smelting pipes had passed through one of the shops when the foot slipped into a cauldron of molten tin. He was at once extricated, but his cries of agony are described as being not so bad as bursting. Dr. Pickburn was quickly brought over from Newcastle, and the foot was amputated, and afforded every relief in his power. The foot was at first considered to be beyond hope, but it is now of a different opinion.

The Half-Holiday Association had a meeting last night at the Hotel Victoria, and passed a resolution in favour of the whole of Saturday, the 26th of June, to be a day of rest, and remaining open the whole of Friday, instead of closing at 1 o'clock on that day. The miners are all to be paid on Friday, and a general effort will be made to make the miners' day a real general holiday.

May 22.—At a meeting last night of the Tannage Dues Celebration Committee, it was resolved to abandon the idea of any public celebration from the apathy expressed by the citizens.

NEW ZEALAND.

NELSON.

The *Settlement Times* says that the Provincial Council of the Nelson Province had met at Nelson on the 29th ultimo. The Superintendent's speech stated that the past year's revenue showed a decrease of £7,000, compared with previous years. It recommended the construction of a railway from the coal field in the West Coast to the Malvern Hills, and for some purposes superior to the Grey and Newcastle coal. This must have been gratifying to the miners of Canterbury, and should cause special attention to be given to the subject of extending the Malvern Hills line of railway from the point where the General Government at present intend to stop, on to Porter's Pass. To say the least, what has already been done will justify full inquiry into the whole subject by the authorities, and careful consideration by the Provincial Council.

Before particularising the tests already made of the coal, some notice respecting the seam from which it was taken, and the quality of the coal, is necessary. The seam is five feet thick, all soft coal, and is situated in a series of basins, forty acres of which was purchased by Mr. R. D. Thomas some years ago. The basin forms part of the Ben More station, recently purchased by Mr. Parker, who is now having an acre of about 700 feet above the sea level, and about 1,000 feet from the Ben More homestead, which in turn is not above a mile from the main road to the West Coast. The coal-field extends in a westerly direction towards Lake Taupo, and the dip of the seam from the main road to the Malvern Hills, which is about 100 feet, and the dip of the coal-bearing strata from the coal to the sea is about 150 feet. The coal in this basin is of a highly satisfactory nature. The coal previously mentioned as being brought down from the Pass to Christchurch has been distributed amongst large consumers in the city for some time past, with the result that the price of the coal is now superior to the bulk of that obtained from the Malvern Hills, and for some purposes superior even to the Grey and Newcastle coal. This must have been gratifying to the miners of Canterbury, and should cause special attention to be given to the subject of extending the Malvern Hills line of railway from the point where the General Government at present intend to stop, on to Porter's Pass. To say the least, what has already been done will justify full inquiry into the whole subject by the authorities, and careful consideration by the Provincial Council.

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taken in the modern sense, with singularly little reason—is invoked to protect the minutest ceremony practised in the ancient foundation. Neither the British jury, nor the House of Lords, nor the Church of England, may, scarcely the monarchy itself, seem to be so deeply enshrined in the bosoms of our countrymen as our public schools. Undoubtedly, there is something touching about this passionate loyalty, as about every illustration of the pathetic delusion which leads all men to invest the scenes of their childhood with a romantic charm. An elderly gentleman mets with tears of tenderness on recalling the place where his little knuckles were tapped and his little toes were tickled. He grows age, and he writes to *The Times* in all simplicity to beg that his boy may not be deprived of those childish commodities. Mystery continues to concentrate the good and the bad, the ugly and the beautiful, with a marvellous impartiality, and yet it is probable that if the raps and twacks administered had come from the paternal hands of some plain Dr. Birch or Mr. Squiers, they would not have been regarded through the golden haze of sentiment. There is a special magic about the old schools. They have a double measure of that strange enchantment which is more or less common to all ancient corporations. Any one who has touched, as it were, the mere hem of their garments, who has the most shadowy and distant claim to a share in their prestige, is affected by the spell. The connection is sometimes grotesque enough, and may remind one of the claim set up by some body to a great man's acquaintance, because the hero—was it the Duke of Wellington?—had once damned him for getting in his way. To have been flogged, in accordance with traditions handed down from hoary antiquity, and embodied in a special local jargon, to have gone through a sacred initiatoryrite. Finally, when at last the schoolboy has been laid—not upon your shoulder—you are a member of a sort of strange order of chivalry. No oaths have been taken, and no formal obligations imposed, but you are bound for the rest of your life to stand up against all comers in defence of the thinnest, able body to which you belong. It is in vain that you will try to shake off the impression. Let anybody who has been a public schoolboy try to state the fact simply and unostentatiously to the dearest friend of his bosom who has been brought up at an academy. He may, if he happens to be a pattern of all the Christian virtues, succeed in conveying the information in a manner not actually offensive. He may speak condescendingly rather than boastfully. "But no effort of imagination will divest him of a share of conscious superiority. His friend, he may admit, is 'one of God's creatures,' but he is not, and cannot be, in his equal." To have been flogged by Dr. Keate or Dr. Arnold was to receive an indelible hall-mark, stamping the sufferer for ever as genuine metal. "A man's a man for a' that," but men include public schoolmen and other men—the minor classifications are of small importance.

Philosophically speaking, the phenomenon is curious, though common enough. Every one must have marked the case with which the most accidental and temporary bond produces a vigorous *spiritus corporis*. When a cricket match is played between the boys and the old letters of the alphabet, enthusiastic lad for lad, and then what a surprising revelation it was to them that the University that a youth might be tolerated, and even popular, without physical prowess, is still engrained pretty deeply in our memories. A public school in those old days might be Paradise to the Tom Browns, but it was purgatory to the luckless lads marked out for brutality by the thinness of their skins. To them the sufferings of poor old Dobbin in "Vanity Fair" recall realities a good deal more forcibly than the triumph of the pugnacious Brown. Many grave miseries of after-life seem light and transitory in comparison with those of a sensitive lad cast, without a protector, among the tormentors. However, these are all things of the past; and one proof of it is that many of the aforesaid parishes applaud the remnants of the rough old system. Perhaps it succeeded in knocking the nonsense out of them; or it may be that they have never freed their minds from the old prepossessions, and believe in the virtues of brutality as strenuously as when they were its victims. One wishes, at times, that they could be made to taste for a few minutes the bitterness which they now regard so complacently.

Having once adopted the theory that our public schools are perfect, there is of course no lack of arguments in their favour. Like so many other of our admirable institutions, they appear to be absurd *a priori*, and *a posteriori* turn out to be inimitable. Nobody could have guessed that an ideal education would be provided by bringing together a few hundred lads and requesting them to govern themselves. Experience, however, proves triumphantly that, barring a little brashness, a good deal of gross ignorance, and some unobtrusiveness, the public school lad in particular. Moreover, it is said that the fine bloom of innocence has not unfrequently been rubbed off by the rude contact of his fellows. But still that mysterious corporate spirit, whatever be its origin, has done something for him. He has a profound conviction that he ought to be a gentleman; and though the precise meaning of that word is a little indefinite, it includes that which would be sorry to lose. The ideal may not be the loftiest conceivable; but, after all the cant and the false sentimentality has been dispersed, he still is an animal of whom one finds it difficult not to be rather proud. Standing in the Eton playing-fields, one would perhaps rather not talk about the battle of Waterloo, and ask too curiously whether the training would be equally adapted to produce the heroes of some future Gravelotte or Sedan. But one cannot resist the idea of the place. There is a certain faint stoicism, a sturdy, unshaken sense of manly duty, which seems to pervade the atmosphere, and, with all its sacred absurdities, marks that lads brought up under such influences have a chance of carrying on the old tradition with fair credit to themselves and their country. After all, the old maxims hold true that one virtue lies at the base of all others; that it forces energy, vitality, or manliness, or whatever you please, it has perhaps a better chance at a public school than at most places. Perhaps the explanation is not very flattering. One thinks sometimes that all educational systems are so bad, that that system must be best which educates least; and public schools may claim great excellence on that showing. Whatever weakness they may have, they have not the positive defect of unduly cramping boyish energy and spirit, and the absence of the defect is a high merit.

The sentiment is pleasant to those within the sacred circle, and need not be seriously resented by those without. We may go a step further, and admit that it says something on behalf of the schools themselves. The loyalty which all Etonians, for example, bear to Eton may not prove that Eton is really a good school, that anything is ever taught there except rowing, or that what is taught is taught by the best masters, or at a moderate expense; or that the whole development of the boy's mind is not all that could be desired. But it affords a fair presumption that Eton boys are not intolerably unhappy. To superstition, if we could fairly trace out its origin, is utterly without foundation. Some sort of nucleus, at least, is found, round which the great body of belief may crystallise. A Frenchman, generally speaking, hates the memory of his school life; an Englishman almost invariably cherishes, or professes to cherish it, and the difference is presumably due to the fact that the English boy has, on the whole, a more enjoyable existence. Judging from appearances, indeed, the fault of our schools is decidedly in the direction of over-comfort. But on the other hand the strength of this superstitious sentiment makes us listen with more incredulity to those whom it has thoroughly infected. Take, for example, one of those bluf country gentlemen or jovial persons who have been lately expatiating in the newspapers. Their letters affect one like the conversation of a friend who slaps you on the back, and points his arguments by a guffaw. Blough, blustering, superfluous persons seem to be near relatives of the bluf sailor of fiction, and the port wine drinking soldiers of the last century. All sentimentality is blown to the four winds of heaven by their jovial pooh-pooh. A boy who dislikes having his jacket cut to ribbons by a groundlass is a "milk-sop," or a "molly-coddle;" a groundlass—the invention of the epithet shows a rudimentary logical dexterity—always does a fellow good; they thank heaven that all the nonsense was early knocked out of them, and they wish to see it knocked out of the rising generation. It is pleasant enough, if one were quite certain what is included under "nonsense." To guess at its meaning, let me take one of these portly gentlemen in imagination, and put him once more in jackets. Deal with him for a moment as Sterne treated his celebrated captain. Let him be what many half and vigorous men have been in their childhood—a pale delicate boy, with thin limbs, and spider fingers, and a sensitive organisation. Suppose that he has been a spoilt child at home, and shrinks with nervous terror from harsh language and even well-meant familiarity. A cricket ball is as schools, though it is true that he had acquired another unjustly and excessively. How does the

terrible an object to him as a bullet, and he can no more handle an oar than a violin. Is there a more pitiless object in the world, excluding cases of absolute physical maltreatment, than such a little wretch set down by himself, amidst some hundreds of lads as mischievous and thoughtless as monkeys, and with a boundless faith in the "good hiding" prescription? The immediate suffering may be trifles; but the childish imagination aggravates all his troubles. As we grow older we resemble the American traveller in some mythical vehicle who passed the last stone so rapidly that he found himself to be rushing through a graveyard. Indeed, in a case like this, it is only too close to the truth. But to the child every year seems to open a boundless vista; he can scarcely look forward, even in dreams, to the indefinitely distant day of liberation from his tormentors. The little world of the school is for him the universe; and it matters nothing to him whether he is condemned to be a pariah for life, or only for the period of his childhood. Seeing children grow up all round us with striking rapidity, changing petticoats for jackets, and jackets for the virile coat before we have time to look round, we forget that Time, who is galloping with us, is crawling with them. At worst, we say, it is only for a year or two; but a child's year is equivalent to a generation with an adult. And there is yet a more bitter ingredient in the childish cup. Shelly, who was flogged, bullied, and called madman and atheist at Eton, is said to have revolted against the flogging system; but it is not one boy in a thousand to whom the bare idea of such a revolt would occur. The little victims imbibe unconsciously the peculiar code of morality which justifies their sufferings. They sympathise more with their tyrants than with their victims. The rough discipline forms their minds as much as it affects their bodies. They are as much convinced as any of their rulers that a boy who cannot raw or play cricket is unworthy to enter the earth; he is an anomalous creature, existing only on suffering, and his humiliation is a marked feature in the general arrangements of Providence. Starting from this hint, it would be easy to argue that the most conspicuous defect of our statesmen is reflected from the most conspicuous defect of the educational system in their favourite schools. They are, it might be urged, honourable and independent men, and by no means devoid of certain accomplishments. Even to the present day, they can make classical quotations which the House of Commons always professes to understand; and there is something graceful about the old-fashioned practice. But possibly our legislators would make more coherent laws, and our ministers be better administrators in matters of treaties, if their intellectual training had been wider and more systematic. That is the way foreigners occasionally say, and perhaps there is enough plausibility in the statement to neutralise the strong assumption as to the obvious perfection of our schools. Probably, too, it would be possible to maintain that a large proportion of our greatest lights in literature have owed less than is supposed to their scholastic training. All that Adam Smith learnt at Oxford was that foreigners produce an unfortunate effect upon learning; and it would be easy to show that our greatest original thinkers have generally learnt to detect the system of education under which they suffered; but perhaps that is only saying that they were original. Our greatest poets would give much the same testimony. Pope, to go no further back, was substantially self-taught. If Gray's taste was polished at Eton, it was polished so highly that his powers of production were all but destroyed. Burns had the good fortune to avoid any such risk of being quenched by over-culture. What Cowper learnt at Westminster has told us for himself, and his testimony is not complimentary. Keats picked up his classical taste nobody knows how; and Wordsworth was taught at an obscure grammar-school. Shelley was one of the victims. And if Byron learnt something at Harrow, it may be disputed whether his genius then received more of healthy nourishment of that taint which injures the value of his noblest poetry. To raise any positive arguments on such facts would indeed be rash; but they should not be forgotten when we are confronted by a head-roll of eminent names, which prove only, if it proves anything, that public schools may not have been able to quench the aspiring genius of all the lads who were sent to them.

To condemn public schools is indeed further from my intention than to praise them. An honest outsider cannot profess to form any trustworthy opinion on such matters. Infinite collation of bluebooks and study of inspectors' reports, and balancings of the opinions of foreign observers, would be required for such a task. I am merely uttering a feeble protest when I am called upon to be the knee before a popular oracle of the day. Let us assume, and the opinion seems to be the most probable one, that public schools, as at present conducted, are free from many gross faults, by which they were once stained, and that they succeed in providing a very fair education for ingenuous youth. So far as private observation enables one to judge, they produce what ladies call, without any suspicion of irony, very nice young men. They are, as a rule, very well dressed, and have the manners of gentlemen. They of course display a stupendous ignorance; the average lad of eighteen who comes up to the Universities from our great places of education shows a negation of all useful knowledge, which is, in its way, a really impressive phenomenon. His knowledge of literature is confined not to English authors, or to modern English authors, but to the tritest kind of modern English authors; he is not merely ignorant of science, but ignorant that such a thing exists; and his classical training, which doubtless deserves all that is said of it if he belongs to the select few, amounts, if he belongs to the promiscuous many, simply to a blind faculty for reciting at sight the English equivalent of common Greek and Latin words. Of course there is not much in this, for ignorance of this kind is characteristic of the young male of the species in general, and not to the public school lad in particular. Moreover, it is said that the fine bloom of innocence has not unfrequently been rubbed off by the rude contact of his fellows. But still that mysterious corporate spirit, whatever be its origin, has done something for him. He has a profound conviction that he ought to be a gentleman; and though the precise meaning of that word is a little indefinite, it includes that which would be sorry to lose. The ideal may not be the loftiest conceivable; but, after all the cant and the false sentimentality has been dispersed, he still is an animal of whom one finds it difficult not to be rather proud.

Standing in the Eton playing-fields, one would perhaps rather not talk about the battle of Waterloo, and ask too curiously whether the training would be equally adapted to produce the heroes of some future Gravelotte or Sedan. But one cannot resist the idea of the place. There is a certain faint stoicism, a sturdy, unshaken sense of manly duty, which seems to pervade the atmosphere, and, with all its sacred absurdities, marks that lads brought up under such influences have a chance of carrying on the old tradition with fair credit to themselves and their country. After all, the old maxims hold true that one virtue lies at the base of all others; that it forces energy, vitality, or manliness, or whatever you please, it has perhaps a better chance at a public school than at most places. Perhaps the explanation is not very flattering. One thinks sometimes that all educational systems are so bad, that that system must be best which educates least; and public schools may claim great excellence on that showing. Whatever weakness they may have, they have not the positive defect of unduly cramping boyish energy and spirit, and the absence of the defect is a high merit.

Whether our schools are the best or the worst of their kind, they are clearly of human origin, and managed by human beings. Head masters in particular are distinctly flesh and blood. The recognition of that fact is shocking to those who still cling to the old boyish belief that a head master is an archangel in a cap and gown; but it has come home with terrible distinctness to newspaper students. Avoiding all the wearisome details, which have been canvassed beyond all ordinary patience, what is the most palpable outcome of the recent scandals? Two characteristic peculiarities lie on the very surface of the public school system. One cardinal vice is that it may sanction brutality; one cardinal virtue that it teaches boys to be gentlemen. To suppress bullying with an iron hand, and to set an example of chivalrous bearing, should be therefore the very first duties of a model schoolmaster. Two of our great schools have given very pretty illustrations of their way in which masters appropriate them.

At Winchester a boy is in need of thrashing

another unjustly and excessively. How does the master answer the complaint? If he had said, "The boy has been thrashed; it served him right, it will do him good, and I will stick by the school discipline;" or if he had said, "The case shows that the system is liable to gross abuse; the offence shall be punished, and the system put right;" he would, with some plausibility, have had an intelligible ground. Unluckily he did neither, but the complaint rendered him hopelessly inarticulate; he plunged into an intricate labyrinth of assertions and qualifications and explanations, where capital letters had to be placed at the heads of paragraphs to do duty as signatures to the bewildered inquirer. Nothing but a preconceived impression of the thrice holy nature of every traditional usage describable in classical slang could hide it from men of ordinary sense. Big boys ought not to have a right to thrash little boys. That is the long and short of the whole matter. Thrashings, it is said, do good sometimes; so do doses of calomel and rhubarb; but you do not allow the sixth form to administer them at discretion to their inferiors. If thrashings have sometimes cured a boy of some mean propensity, they have crushed the spirits of some, broken the constitutions of others, and made very many boys miserable for years with the bitter misery of childhood. An unjust and capricious thrashing does ten times as much harm as a just one does good; and therefore the power of thrashing should not be delegated by responsible masters to boys of no experience, and imbued with a preposterous sense of their own importance and the superhuman merits of their school. Of course a master should know how to shut his eyes, and may be very properly absorbed in a Greek play when a bully or a sneak is being unmercifully thrashed for cruelty or meanness. Half the art of government consists in judicious blinding of the master of a large public school need not be afraid that he is endowed with powers of superhuman penetration. When this very simple rule is converted into a solemn mystery, the inevitable neglect justified on lofty moral grounds, and the unmitigated vulgar warred off in the venerable name of Dr. Arnold, one becomes suspicious. Mystery should be left to charlatans. The word can be too easily translated into the vernacular.

Winchester is doubtless an excellent school, and nothing but the existence of the public school superstition could have provoked the waste of so much good paper and ink on so small a topic. Rugby, meanwhile, shows us how the cardinal virtue of public schools may be stimulated and cherished by judicious masters. Far be it from any outsider to pronounce a rash verdict on all the ins and outs of that wordy warfare. For there, too, the letters of the alphabet have been exhausted in the attempt to reduce the correspondence to order. The head masters of England have, not inappropriately, introduced a new variety of newspaper writing, which may be called the A B C style. It is not quite equal to Junius or Jacob Bonnion, but it allows us to perceive some curious illustrations of that high tone of personal dignity, that mutual confidence, and chivalrous sense of honour, which is so characteristic of our public schools. The picture is, in its way, quite perfect. We may give a pretty good guess as to the opinion which the assistant masters entertain of their head, without drawing refined inferences from conversation which may or may not have been based upon letters which may or may not have been written. It is quite enough to say that they are ready to have "loyalty" to their superintendents.

Dr. Hayman's opinion of his assistants is equally plain.

If a gentleman suspects his subordinates of shams, his best plan is to stamp them by genuine loyalty. Dr. Hayman seems to have taken a different view. From one of his assistants, says, "A speech of mine has been misinterpreted." Dr. Hayman immediately infers that the word of the assistant is not to be trusted. He acts, in fact, on the hypothesis that the gentleman with whom he has to co-operate are as likely as not to have told a downright falsehood. The governing body, being called in to judge, cannot make up their minds to turn Dr. Hayman out, but they are quite ready to insult him. They declare that if his future conduct resembles his past he ought to go; and they apparently believe—good young people!—that such a sentiment is likely to encourage cordiality and mutual confidence for the future. The general result seems to be that the prevalent ointment at Rugby does not very closely resemble the precious ointment upon Aaron's beard. In fact, the moral is simple. Either Dr. Hayman ought to be dismissed, or the masters ought to be dismissed, or both ought to be dismissed. If none of these plans be followed it is highly probable that the school will dismiss itself. But at any rate that delicate atmosphere of mutual respect, characteristic of our great schools, will be sadly perturbed. When such an accumulation of badness about the school which is responsible for its high tone of honour, what are we to say? The most that we can do is to take the right side, and, when our eyes are averted, and retire behind a screen of second causes when we contemplate faults directly; when we solemnly implore to help us to succeed, whilst we carefully explain that the help comes from ourselves, is not a conception calculated to afford a firm centre for an operative religion. It is only natural that the popular view should oscillate by strange bounds from one extreme to the other. We applaud the common sense of the statesman who tells us that cholera is to be avoided by drainage, and not by prayer and fasting. We fall into emotional ecstasies when we are called upon to save a young man from fever by national supplication.

A kindred subject, "The Nature and Authority of Miracles," is treated quite otherwise by Mr. Ruskin in the *Contemporary* for this month. Mr. Ruskin, under the shadow of Coniston Old Man, and "bent at present on some Robinson Crusoe operations of harbour-digging, which greatly interfere with literary work of every kind" (as he tells us in *Foras Clavigera*), is still the prophet, and writer in the prophetic strain. Notwithstanding his short article contains a very clear expression of his views, an advantage not to be underestimated. Mr. Ruskin is so far entirely unconvinced of the uniformity of nature, hence "the performance of any so-called miracle whatever would be morally unimpressive" to him. "But, even assuming the demonstrable uniformity of the laws or customs of nature which are known to us, remains a difficult question what manner of interference with such laws or customs we might logically hold miraculous, and what, on the contrary, we should want as proof of the existence of some other law hitherto undiscovered." In the meantime, supposing ourselves ever so incapable of defining law, or discerning its interruption, we need not therefore lose our conception of one, nor our faith in the other." This is the thread of Mr. Ruskin's very characteristic argument. He, too, writes very keenly on the recent prayer-controversy:

"I noticed a lengthy discussion in the newspapers a month or two ago, on the propriety of praying for or against rain. It had suddenly, it seems, occurred to the public mind, and to that of the gentlemen who write the theology at the breakfast-table, that rain was owing to natural causes; and that it must be unreasonable to expect God to supply on our immediate demand what could not be provided by but by previous evaporation. I noticed further that this alarming difficulty was at least softened to some of our metropolitan congregations by the assurances of their ministers that, although since the last lecture by Professor Tyndall at the Royal Institution, it had become impossible to think of asking God for any temporal blessing, they might still hope their applications for spiritual advantages would occasionally be successful; thus implying that, though material processes were necessarily slow, and the laws of Heaven respecting matter inviolable, mental processes might be instantaneous, and mental laws at any moment disregarded by their Instructors; so that the spirit of a man might be brought to maturity in a moment, though the resources of Omnipotence would be overtaxed, or its consistency abandoned, in the endeavour to produce the same result on a greengage."

Another valuable paper in the *Fortnightly* is that on "Organization of a Legal Department of Government," by Mr. James Bryce. After enumerating the chief items of the mass of miscellaneous legal work with which the Government has somehow to do, he goes on to say that, "in order to show that they are essentially the task of a department, and not of a haphazard law officers. Under the present regime it is difficult to calculate the time that is lost for the want of some such contrivance. One enormous factor in this waste is to say nothing of other attendant errors, more vital even than the loss of time, is due to bills initiated by private members. Of this, Mr. Bryce says:—"It ought to be the duty of the office for legislation to report to Parliament upon all public bills introduced by private members, showing the nature of the changes they would effect, and suggesting, if necessary, reasons for or against them or modifications of them, such reasons being of course only of a legal, not of a political, character."

ENGLISH IN TURKISH ARMED.—The Englishmen who went out to Turkey a few years since to assist the Sultan in improving his arsenals at Topkapi, near Constantinople, are reported to be receiving promotion and high honours. Mr. John Mackenzie, who was a foreman in the Dial Square, at the Royal Arsenal, Woolwich, has been appointed manager of the Ordnance Works under the Turkish Government, and has just had the honour of receiving the Order of the Medjidie at the hands of his Imperial Majesty. An Irishman was one day observing to a friend that he had an excellent telescope. "Do you see yonder church?" said he. "It is scarcely discernible, but when I look at it through my telescope, it brings it so close that I can hear the organ playing."

other papers in the *Fortnightly* for this month—Mr. Beely's attack on the game laws, and Mr. J. S. Mill's review of an Italian political economist, who advocates the taxation of capital.

For the same reason we are compelled to pass shortly over Mr. Herbert Spencer's latest chapter of "The Study of Sociology" in the *Contemporary*. Mr. Spencer has reached in his list of blots the bias of Patriotism, and is able to adduce strong proofs of the mischievous effects in the case of France and Germany. In speaking of England, Mr. Spencer misrepresents his own impartiality, treats solely of the opposite influence, the bias of Anti-patriotism, of that exclusively as it bears upon the mind of Mr. Matthew Arnold, who is taken as a representative exponent of this feeling. Mr. Spencer succeeds in vindicating Englishmen from Mr. Arnold's statement that they are deficient in ideas, and we may safely say that his success is due not at all to "patriotic bias," but merely to the list of English names and enterprises of which his refutation consists. But, thankful as we should be to Mr. Spencer for not allowing Mr. Arnold unduly to triumph over us, it might have been expected that he would have "shown up," to some extent at least, the opposite (patriotic) bias which surely exists somewhere amongst us. The two biases are, however, very closely allied. As Mr. Spencer says, the man who tries to emancipate himself from the influences of race "is carried from the periphery of patriotism to the aphelion of anti-patriotism, and is almost certain to form views that are more or less eccentric, instead of circular, all-sided, balanced views."

Let the magazine reader who wishes to sup of horrors leave fiction altogether this month and turn to the paper on "South Sea Slavery: Kidnapping and Murder," in *Macmillan's Magazine*. If certain transactions there detailed, which took place on board the British ship *Carl*, sailing under British colours, do not make his blood run cold, it is difficult to imagine what stuff he is made of. The second mate got an inch auger, and bored some holes in the bulkhead of the fore-tub, through which Dr. Murray fired. The first and second mates died as well. After a bit Dr. Murray came aft. Lewis, the second mate, said, "What would people say if to my killing twelve men before breakfast?" Dr. Murray replied, "My word, that's the proper way to pop them off." Lewis said, "That's a fine plan to get at them," meaning the holes bored in the bulkhead.

Mr. T. Hughes' "Problems of Civilization" in the same magazine belongs to a useful class of sermons. "To get the command of us in short, instead of the material universe when the sun, instead of the earth, becomes its centre. You are bound to assume that every religion which does not take this dogma into account is without true vital force. Infidels, heathen, and Unitarians reject the single influence which alone can mould our lives in conformity with the everlasting laws of the universe. Of course there are tricks of logical sleight-of-hand by which the conclusion is evaded. It would be too long and too trifling to attempt to expose them. Unitarian Christianity consists in shirking the difficulty without meeting it, and trying hard to believe that the passion can survive without its essential basis." We repeat that Mr. Stephen has narrowed the scope of Christianity unnecessarily for the purposes of his argument. But this does not at all interfere with the value of the plain-speaking by which he seeks to obtain an answer to the question, Are we Christians? The position at the present time is thus summed up: "We generally propose . . . to preach Christianity in such a way as not to run counter to the best aspirations of mankind. The question remains whether it is possible to do so and to have a fair claim to the old title. . . .

LATEST INTELLIGENCE.

REUTER'S TELEGRAMS
TO AUSTRALIAN ASSOCIATED PRESS.
(VIA SIBERIA AND CHINA.)

MONETARY AND COMMERCIAL.
LONDON, MAY 20.

DISCOUNT, 5 per cent.

There have been large withdrawals of gold for Germany.

The money market is tightening.

Stocks are depressed, owing to the apprehension that money will be still dearer.

DEBENTURES: Victoria Five per cents., January and July, 108; New South Wales Fives, 107; New Zealand Consolidated Fives, 104; Bank of New South Wales shares, 43; Bank of Australasia, 53; Union Bank of Australia, 45; London Chartered Bank of Australia, 24; English, Scottish, and Australian Chartered Bank, 21.

The Scottish and Australian Investment Company have declared a dividend at the rate of 10 per cent. per annum.

At the wool sales, about half the quantity catalogued has been sold. The prices have been well sustained.

The wheat market is firm and steady. The quality of the wheat received from California is irregular. Adelaide wheat, ex White Eagle, has been sold at 64s. per 496 lbs.

The Australian tallow market is quiet. Mutton is quoted at £40 to £43; beef from £38 to £41.

The market for leather and hides is inactive, and has a tendency to a slight decline in prices. Hemp is depressed.

Cocoon oil unchanged.

In the copper market, all kinds are quiet at late quotations.

Strait tin is dull at £146; 80 tons of Australian are sold at £81 to £88.

AUSTRALIAN ASSOCIATED PRESS TELEGRAMS.

ARMIDALE.

THURSDAY.
The foundation stone of a new Church of England Cathedral was laid to-day by the Bishop of Grafton and Armidale; there was a special service for the occasion. Between three and four hundred persons were present, including twelve Church of England clergymen. Donations amounting to £476 were laid on the stone. A public luncheon followed in the Town-hall, which was crowded to excess.

The sittings of the Synod are not finished.

Weather threatening.

MELBOURNE.

THURSDAY.
The Geelong and Western districts Agricultural Society will hold an intercolonial champion ploughing match early in July, and offer prizes amounting to £100.

Although the market in breadstuffs is dull, wheat is firm, and selling at 6s. Oats selling freely at full price.

Meeting a Nicolson in the Legislative Assembly on the Poor Law and opium legislation, he said on inland letters should be a penny instead of two pence; but in consequence of the exceptionally heavy expenditure this year, owing to the working of the Education Act, a reduction is not likely to be agreed to until the end of June next year. It is proposed to impose a certain fee of a half-penny on all newspapers, irrespective of weight.

The market in embarking passengers; some are unwilling to proceed.

The Assembly sat only an hour to-day, and adjourned to Tuesday.

In the libel case, Atridge v. the Evening Herald, a verdict was given for plaintiff. Damages, £25.

The surgeon of the Baroda states that the second officer complained of illness two or three days before the 18th instant, but it was thought he referred to an attack of bilious fever, and was not under the impression, felt justified in saying in his report to Dr. Alleyne at Sydney that all were well on board.

A man named Tom Gibb committed suicide by drowning himself in Kirk's dam, Ballarat.

A young man, named Bennett, a clerk in the service of Messrs. Bennett and Allertonborough, solicitors, has been arrested on a charge of embezzlement. It is said that the sums embezzled amount to £1000.

SAILING.—Alexander (s.), and Tauris (s.).

HOBART TOWN.

[VIA MELBOURNE.]
The properties of Sir Hugh Owen, which have been submitted to auction, are among the largest private estates that have been put up for sale in Tasmania. Four lots, of 4500 acres each, were sold, realising £10,500.

QUEENSLIFF.

THURSDAY.
ARRIVED.—Teviotdale, ship, from Glasgow.
SAILED.—Meteor, for Newcastle; and at 6 p.m., Alexandra (s.).

ADELAIDE.

THURSDAY.
The news from Port Pirie, states that a deputation waited upon Mr. Commissioner Reynolds, a mining master; he promises to indemnify all applicants for leases under the old regulations, and to proceed with the construction of roads and other works. Mr. Reynolds is very popular. He intends returning by the Gottenburg. The mining companies are in great misery under great difficulties.

A further telegram states that the first steam-launch proceeded to South Port to-day with Mr. Reynolds on board.

A Queenland squatter has started overland with 200 head of cattle for the new territory.

The races have been postponed till Monday owing to the inclemency of the weather.

Wheat-sheaves have taken place at 5s. 6d. Country flour sold at 12s. 6d., and 100 tons town flour at 12s. 7s. 6d.

COASTERS' INQUIST.

YESTERDAY.—At the Observer Tavern, George-street North, an inquest respecting the cause of death of a man named Guillermo de Verge, who had been found suspended to a tree at Balmain on the forenoon of the preceding day. Dr. Evans, of Balmain, was interpreter. Gustavo Jean J. Hirsch, of the Royal Hospital, gave evidence that the deceased was a man of cheerful habits; he drank a good deal, and when he had an opportunity, he used to go to excess; on the 20th instant, notice was given to the Sydney police that he had deserted from the ship; three days' absence from the ship, and he was last seen in Port Phillip.

The cause of death was ascertained to be drowning, and he was buried at the cemetery of the French steamship France, now lying in Farm Cove; he had been a boatswain of that ship; he was 40 years of age, and a native of Brest, France; he had left a widow; witness last gave him as being well, when he was last seen. He was never seen again; there is no indication of foul play; he was a man of cheerful habits; he drank a good deal, and when he had an opportunity, he used to go to excess; on the 20th instant, notice was given to the Sydney police that he had deserted from the ship; three days' absence from the ship, and he was last seen in Port Phillip.

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UNSTOCKED COUNTRY in Queensland for SALE.
G. N. GRIFFITHS, 271, George-street.
FOR SALE, two neat Gothic COTTAGES, Moore Park, each having four rooms and kitchen; gas and water. Price £500.
Apply to Mr. HUGHES, No. 9, Regent-street.

FOR SALE, two COTTAGES, Westmoreland-street, Forest Lodge. Apply Mr. Hughes, 9, Regent-street.

FOR SALE, Hotel and House, Woollahra: House, Riley-street, cheap. James Pringle, 155, Pitt-street.

STOCK AND STATIONS.

THE UNDERSIGNED wishes to notify that he has commenced business as a Stock and Station Agent. He will undertake all business connected with the disposal or purchase of stock or stations, and will be glad to receive the same for sale, either privately or by public auction.

G. NEVILLE GRIFFITHS,
271, George-street, April 21st, 1876.

S. G. WANT has received instructions from R. L. Jenkins, Esq., to sell privately.
3 pair-brass door knobs, now on view at Woollahra's Yards (opposite Tattersall's), Pitt-street.

Further information may be obtained from

G. F. WANT,
Pastoral Exchange,
273, George-street, Sydney.

S. H. E. F. S. T. A. T. I. O. N.

FOR SALE, by the undersigned, an old-established STATION in Queensland, together with 14,000 fine sheep. Improvements very superior.

Full particulars on application at our Office, 225, George-street.

LARNACH and JOHNSON.

CHOICE CATTLE STATION.

FOR SALE privately, THE BALNAWONG STATION, situated within 18 miles of Rockhampton, and with 14 and 28 miles respectively of two most preserving companies. The station is securely fenced, and makes a fine property, and is of the most fattening quality. With it will be sold about 250 (more or less) cattle, very superior and well-bred. The improvements are first-class.

Full particulars can be obtained from

G. F. WANT,
Pastoral Exchange,
273, George-street, Sydney.

T. O. C. A. P. I. T. A. L. I. S. T. S.

FOR PRIVATE SALE.
A first-class SHEEP STATION, now Bourke, fully improved, with well over 50,000 sheep.

Also, a compact CATTLE STATION, East Bogor, well watered, fenced, and improved, with 1000 head of cattle.

Particulars

JAS. A. TAIT,
Stock and Station Agent,
7, Wynyard-terrace.

T. E. N. T. E. R. F. I. E. L. D. S. T. A. T. I. O. N.,
with 30,000 SHEEP and 1800 CATTLE.

DISTRICT OF NEW ENGLAND.

BREWSTER and TREBECK will be happy to treat for the purchase of the above property, with any one requiring a really first-class Squatting investment.

30,000 STORE SHEEP for SALE.
RICHARDSON and WRENCH,

Pitt-street.

AUCTION SALES.

HAWKES and WRIGHT, successors to Buchan Thomson, Auctioneers and COMMISSION AGENTS.

Horse, Carriages, and Harness for SALE and HIRE.

The Stable, Blight-street, Sale Yards, 240, Pitt-street.

25 YOUNG HORSES.

GEORGE KISS has received instructions from Mr. Charles Marshall to sell his collection, at the Campden Yards, THIS DAY, at 10 o'clock.

25 head of young horses, some of which are HEAVY DRAUGHT, and some good stylish hacks.

Horses, heavy and light.

Vehicle, Harness, and Saddlery.

GEORGE KISS will sell by auction, at the Bazaar, THIS DAY, at 11 o'clock.

Also, Regular sales at the Bazaar daily, and at Campden Yards, every afternoon.

Horses and Vehicles for hire.

Fresh Horses.

GEORGE KISS has received instructions to sell by auction, at the Bazaar, THIS DAY, at 12 o'clock.

A horse, gelding, 15.3, broken to saddle, single and double harness.

A bay gelding, 15.2, broken to saddle.

Two Stylish Hacks.

GEORGE KISS has received instructions from Mr. Cooke to sell by auction, at the Bazaar, THIS DAY, at 12 o'clock.

TWO STYLISH WEIGHT-CARRYING HACKS, on a grey, the other a chestnut; both broken to saddle.

GEORGE KISS has received instructions to sell by auction, at the Bazaar, THIS DAY, at 12 o'clock.

Two grey and white, 15.3, broken to saddle, single and double harness.

A bay gelding, 15.2, broken to saddle.

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